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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/683,074

11/15/2001

Charles D. Cranor

2001-0453

7612

26652

7590

03/26/2004

AT&T CORP.

P.O. BOX 4110

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EXAMINER

EL HADY, NABIL M

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 03/26/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/683,074

Applicant(s)

CRANOR ET AL.

Examiner

Nabil M El-Hady

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2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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1. Claims 1-15 are pending in this application.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 7-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The following phrases are not clearly understood:

a) "receiving a data request from a client with a network address", claim 7, line 3, it is not clear if the network address refers to the client's network address or an address of a network resource carried in the request;

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-15 are rejected under 35 U.S.C. 102 (b) as being anticipated by Leighton et al. (US 6,108,703), hereafter "Leighton".

6. Leighton et al. is cited by the applicant in IDS paper No. 4 filed 1/16/2002.

7. As to claim 1, Leighton discloses the invention as claimed including a method of associating clients with domain name system servers comprising the steps of: receiving a domain name system query from a domain name system server requesting resolution of a calibrating domain name (col. 10, lines 1-2); identifying a client based on the calibrating domain name (col. 10, lines 2-5); associating the client with the domain name system server (col. 10, lines 7-10).

8. As to claims 7 and 12, the claims are rejected for the same reasons as claim 1 above. In addition, Leighton discloses the invention as claimed including a method of associating clients with domain name system servers comprising the steps of: receiving a data request from a client with a network address (col. 9, lines 22-23); encoding the client's network address in a calibrating domain name (col. 9, lines 62-64); redirecting the client to the calibrating domain name, whereby the calibrating domain name can be utilized to associate the client with a domain name system server when a domain name system query is issued by the client (col. 10, lines 13-18).

9. As to claim 2, Leighton discloses the client is identified by retrieving a network address encoded in the calibrating domain name (col. 9, lines 62-64).

10. As to claims 3 and 8, Leighton discloses the calibrating domain name points to a dummy object (inherent in col. 7, line 59 to col. 8, line 12).

11. As to claims 4, 9, and 13, Leighton discloses the network address is encoded in the

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calibrating domain name by a redirector (inherent in col. 10, lines 13-17).

12. As to claims 5, 10, and 14, Leighton discloses the client is associated with the domain name system server by associating the network address of the client with the network

13. address of the domain name system server (col. 9, lines 62-64; and col. 10, lines 7-10).

14. As to claims 6, 11, and 15, Leighton discloses the network addresses are Internet Protocol addresses and wherein the domain name system server is a DNS server (inherent in col. 3, lines 17-36)

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shuster et al. (US 6,687,746); Price et al. (US 2002/0120607); Sutanto (US 2003/0039240); and Low et al. (US 6,466,570).

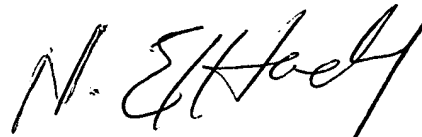
16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nabil M El-Hady whose telephone number is (703) 308-7990. The examiner can normally be reached on 9:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 19, 2004



Nabil El-Hady, Ph.D, M.B.A.  
Primary Patent Examiner  
Art Unit 2154